

United States Court of Appeals for the Sixth Circuit
524 Potter Stewart U.S. Courthouse Building
100 East Fifth Street
Cincinnati, Ohio 45202-3988

Leonard Green
Clerk

06 NOV 17 PM 12:18

Ken Loomis
(513) 564-7067

Kenneth P. Tableman, Esq.
71 Maryland Avenue, S.E.
Grand Rapids, MI 49506-1819

FILED

NOV 16 2006

Re: 06-3521
USA v. Pugh
District Court No.: 02-00054

LEONARD GREEN, Clerk

Dear Mr. Tableman:

Thank you for accepting the court's appointment to represent the appellant in the above-styled case; the court appreciates your undertaking to provide the representation afforded by the Criminal Justice Act, 18 U.S.C. § 3006A, *et seq.* This appeal is taken from a judgment entered by United States District Court Judge David L. Bunning of the Southern District of Ohio at Cincinnati. Appellate attorney Thomas Jacobs of Cincinnati, Ohio, having been granted leave to withdraw from the appellate proceedings, your appointment is made pursuant to the terms of the Act.

A briefing schedule will not be issued until you have had time to review the transcripts. **Thomas W. Jacobs is directed to send the transcripts to your office.** To that end I have enclosed a copy of the listing of district court docket entries. Please examine the list, determine which proceedings are to be transcribed and use the Form 6CA-30 to place your order with Court Reporters, **Betty J. Schwab**, 100 East Fifth Street, Suite 801 Potter Stewart United States Courthouse, Cincinnati, Ohio 45202, telephone (513) 564-7636, **Julie Wolfer**, 100 East Fifth Street, Suite 828 Potter Stewart United States Courthouse, Cincinnati, Ohio 45202, telephone (513) 564-7606, and **Lisa Wiesman**, Eastern District of Kentucky at Covington, 35 West Fifth Street, P.O. Box 1073, Covington, Kentucky 41012. The cost of producing the transcript will be borne by the government under the Criminal Justice Act. If you have any problems involving the transcript, please contact this office's Transcript Coordinator, Beverly Harris at (513) 564-7077.

An appearance form and transcript order form must be received in the Clerk's Office within 14 days from the date of this letter. These forms may be downloaded from the court's website which is: **www.ca6.uscourts.gov**. Any questions you may have concerning the progress of the appeal may be addressed to this office to the attention of Robin Duncan, Case Manager, (513) 564-7027.

One final cautionary note is in order. There are companies which claim expertise in federal criminal and post-conviction law and which aggressively market their services directly to inmates. Their marketing materials promise litigants that they may hire these companies, using private funds, to assist court-appointed counsel in developing their appellate strategy and preparing motions and briefs for the court of

appeals. **THESE REPRESENTATIONS ARE MISLEADING AND CAN RAISE SERIOUS ISSUES FOR COURT-APPOINTED COUNSEL AS WELL AS THE LITIGANT.** If a litigant has private funds available, whether from family or otherwise, to hire a research company, his or her entitlement to the services of counsel or the provision of transcript at government expense is placed in jeopardy. If appointed counsel assists a client in misrepresenting indigency to the court, or knowingly allows such a misrepresentation to occur, he or she is likely to have violated one or more provisions of the Code of Professional Responsibility. If you should become aware that your client has financial resources not previously disclosed to the court, you should contact the Clerk or Chief Deputy Clerk immediately for guidance.

Very truly yours,



Kenneth A. Loomis
Administrative Deputy

Enclosures

cc:

Walter M. Pugh
USM No: 03559-061
United States Penitentiary - Atwater
P.O. Box 019001
Atwater, California 95301

- Anthony Springer, Esq. -
Office of the U.S. Attorney
221 East Fourth Street
Suite 400, Atrium II Building
Cincinnati, Ohio 45202

Clerk, U.S. District Court

Thomas W. Jacobs
Lutz, Cornet, Meyer & Rush
123 Boggs Lane
Cincinnati, Ohio 45246

LEONARD GREEN
CLERK

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT
100 EAST FIFTH STREET, ROOM 540
POTTER STEWART U.S. COURTHOUSE
CINCINNATI, OHIO 45202-3988

ROBIN DUNCAN
(513) 564-7027
(FAX) 564-7098
www.ca6.uscourts.gov

Filed: November 16, 2006

Kenneth P. Tableman
71 Maryland Avenue, S.E.
Grand Rapids, MI 49506-1819

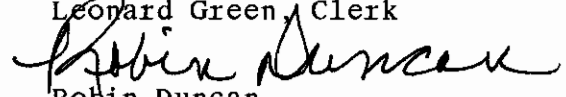
Anthony Springer
U.S. Attorney's Office
Southern District of Ohio
221 E. Fourth Street
Suite 400
Cincinnati, OH 45202

RE: 06-3521
USA vs. Pugh
District Court No. 02-00054

Dear Counsel,

Enclosed is a copy of an order which was entered today in the above-styled case.

Very truly yours,
Leonard Green, Clerk


Robin Duncan
Case Manager

Enclosure

cc:
Thomas W. Jacobs
Mr. James Bonini

Mr. James Bonini, Clerk
Southern District of Ohio at Cincinnati
100 E. Fifth Street
Suite 103 Potter Stewart U.S. Courthouse
Cincinnati, OH 45202